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**AUG 29 2005**

**To:** Examiner Pretti Kumar  
Group Art Unit: 1751

**From:** Robert M. Lanning  
Reg. No. 57,121

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**Subject:** Application Serial No.: 09/586,202  
Filed: June 2, 2000  
Applicant: David E. Wenstrup  
Title: Process For Coloring A Textile  
Substrate

**Date:** August 29, 2005

**Copies:**

**Pages:** 6 (including cover)

**Comments:**

Response Transmittal Sheet- 1 page

Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences - 2 pages

Pre-Appeal Brief Request for Review - 2 pages

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**AUG 30 2005****Confidentiality Notice:**

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In re Application of: Wenstrup  
 Application No.: 09/586,202  
 Filed: June 2, 2000  
 For: PROCESS FOR COLORING A TEXTILE  
 SUBSTRATE

**PATENT**  
 Attorney Docket No. 5021  
 Date: August 29, 2005

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

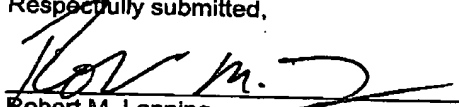
Transmitted herewith is a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences in the above-identified application.

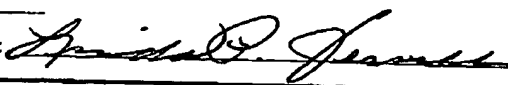
- ☒ Applicant hereby petitions for an extension of time for the period noted below, as well as for any additional time period necessary to render the present submission timely. Please charge the appropriate petition fee to Deposit Account No. 04-0500.
- ☒ Other: Pre-Appeal Brief Request for Review
- ☒ Please charge Deposit Account No. 04-0500 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith (if submitted via first class mail or as "Express Mail Post Office to Addressee").

TIME EXTENSION PETITION FEE		two (2) month	\$450.00
	subtract time extension fee previously paid	two (2) month	(\$450.00)
NOTICE OF APPEAL FEE			\$500.00
<b>TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT</b>	<b>TOTAL</b>		<b>\$500.00</b>

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the fees associated with this communication or credit any overpayment to Deposit Account No. 04-0500.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

  
 Robert M. Lanning  
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Certificate of Transmission by Facsimile Under 37 CFR §1.8	
I hereby certify that this correspondence, along with all documents referred to as being enclosed herewith, is being transmitted by facsimile to the U.S. Patent and Trademark Office on August 29, 2005, at the facsimile number listed below.	
Facsimile Number:	571-273-8300
Name: Linda P. Jewell	Signature: 

**PRE-APPEAL BRIEF  
REQUEST FOR REVIEW**

Application Number	09/586,202
Filing Date	June 2, 2000
First Named Inventor	Wenstrup, David
Art Unit	1751
Examiner Name	Kumar, Pretti
Attorney Docket Number	5021

Applicant hereby requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being concurrently filed with a "Notice of Appeal from the Examiner to the Board of Patent Appeal and Interferences" and the fee specified 37 CFR 41.20(b)(1).

The review of the final rejection is requested for the reason(s) set forth in the attached Appendix.

Note: No more than five (5) pages may be submitted.

I am the

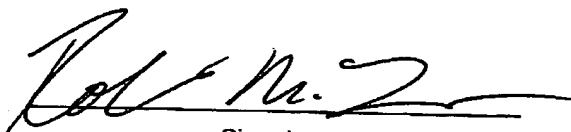
- ☐ applicant/inventor  
☐ assignee of record of the entire interest  
 See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.

☐ attorney or agent of record

Registration Number \_\_\_\_\_

☒ attorney or agent acting under 37 CFR 1.34

Registration Number 57,121

  
 Signature

Robert M. Lanning  
 Typed or printed name

864-503-1537  
 Telephone number

August 29, 2005  
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.\*

☐ \*Total of \_\_\_\_\_ forms are submitted.

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Facsimile Number: (571) 273-8300

Name: Linda P. Jewell

Signature: 

In re Application of Wenstrup, David  
Application No. 09/586,202

**APPENDIX**

Applicant submits that the Section 103 rejection of claims 5, 7, 8, and 13 over U.S. Patent No. 4,045,601 (Brodmann et al.) in view of U.S. Patent No. 4,902,787 (Freeman) is improper for the reasons set forth in the "Response to Office Action" dated August 26, 2005.